

USAWC STRATEGY RESEARCH PROJECT

**GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES-MORO ISLAMIC
LIBERATION FRONT PEACE TALKS: A BOLD MOVE TO COUNTER TERRORISM**

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ABSTRACT

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The Philippines has been fighting a three-decade insurgency war. It has cost so many lives, drained the government's coffer, and adversely set back progress in so many areas of the country. The government of the Republic of the Philippines (GRP) and the Moro Islamic Liberation Front (MILF) is presently engaged in peace talks to thresh out related concerns, and carefully resolve the problems.

There is an urgent need for these talks to succeed. The successful settlement will bring lasting peace and economic progress to the country, and contain terrorism in Southeast Asia. At this point, the prospect for a successful conclusion of the negotiation is very good. First, the United States has initiated the cooperation of Malaysia to facilitate the peace talks between the GRP and the MILF; second, members of the Organization of Islamic Countries are monitoring the peace process; third, U.S. and other allied countries have pledged substantial aids in case the talks succeed; and fourth, there are active participations from civil societies and non-governmental organizations that will ensure strict implementation of the ceasefire agreements.

This paper will examine the issues from both sides and make recommendations to address them to put an end to the decade-long struggle.

GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES-MORO ISLAMIC LIBERATION FRONT PEACE TALKS: A BOLD MOVE TO COUNTER TERRORISM

Background

Bangsamoro, a term denoting the ethnic identity of the Muslims in Mindanao, has long resisted foreign influences. The diverse Muslim tribes of Mindanao, the Philippines' second largest island, have allowed only a limited quantity of change through the centuries and have borne the Manila government's predominantly-Christian resettlement policies with much resentment over the years. That resentment, coupled with abuses by non-Muslims and the government's long neglect of the southern islands, fueled a desire among the fiercely independent Filipino Muslims to be free of the Republic of the Philippines and establish their own independent Islamic state.

The emergence of Islamic fundamentalism and Islamic militancy in the Middle East has fueled the growth of militant Muslim groups across the globe, including Malaysia, Indonesia, and in the southern Philippines. With support flowing from the Middle East, these active regional groups share a common vision: to establish an Islamic state in Southeast Asia. The interconnected groups are operating, both covertly and in the open, to achieve their ultimate goal. They have expanded the use of terror as an instrument of political policy, which in the terrorist handbook, makes little or no distinction between civilian and military targets, women and children, Muslim and non-Muslims.

The Republic of the Philippines is undergoing a political upheaval, which threatens to divide land, culture, and society as a whole. Society has tasted terror, and the government has been waging war for 30 years to prevent the unraveling of the republic. Various estimates put the number of civilian and combatant casualties in the Mindanao war from the 1970s to the present anywhere from 100,000 to 120,000 deaths. The foregone earnings of the casualties from 1986 to 2004 alone have been placed at P2.127 billion. The estimated loss in annual output in the years of intense conflict, 1970--1982 and 1997-2001, is placed at \$150 million or P8.175 billion (calculated at the then-prevailing exchange of \$1 to P54.5). The total number of internally displaced persons over the entire period of the conflict since the 1970s has been estimated at 2 million, with the figures fluctuating widely from 800,000 in mid-2000 to 60,000 at the end of 2004.

On the other hand, Muslim separatists have seen leaders of their movement rise and fall over the years – even the names of political organizations have changed - but the desire for independence remains burning, regardless of appellation and who's in charge.

Presently, the government is engaged in peace negotiations with the movement's largest contingent, the Moro Islamic Liberation Front (MILF). The MILF is the latest and probably the most formidable foe any Philippine government has faced in the history of the Muslims' protracted war for self-determination. The MILF's reported links with the Al Qaeda, Abu Sayyaf, and the Jemaah Islamiyah make it a strongly feared terrorist group.

The 30-year conflict has resulted in great tragic losses for both sides in terms of property, economy, and human lives. And both sides agree that there must be peace.

There is a dire need to pursue the peace talks to achieve a lasting peace and spur economic growth to the country. Benedicto Bacani, an authority who favors autonomy as a solution to violent conflicts, cited the following reasons to push the peace talks.¹

First, the GRP–MILF ceasefire is being monitored by member countries, (specifically Malaysia, Brunei, Indonesia, Saudi Arabia and Libya), of the Organization of the Islamic Conference (OIC).

Second, the talks have a third-party facilitator. Since March 2001, Malaysia has been spearheading the peace initiatives in the area on behalf of the OIC. The United States Institute of Peace plays a supporting role.

Third, there is a promised aid windfall from the United States and other aid agencies in the event of an agreement.

Fourth, there is an expression of support from no less than the Secretary-General of the United Nations.

Fifth, the organization of the talks has vastly improved since 1997. The framework and the guidelines for the conduct of the negotiations have been provided by the June 2001 Tripoli Peace Agreement of the government with MILF. The round of talks will proceed, such that the three substantive issues – namely “ancestral domain” (Muslims' historical claim to the Southern Philippines within homeland), security arrangements in MILF areas, and rehabilitation of communities affected by conflict – will be tackled in stages, ahead of discussions of mutually agreeable political structures.

Sixth, civil societies are active participants in the peace process. Nongovernment organizations (NGOs) such as “Bantay Cease-Fire” (Cease-Fire Watch) are mobilizing to help implement the cease-fire agreement.

There are stumbling blocks to peace, however. This study aims to analyze those factors that prohibit the negotiations from moving forward, as well as potential solutions. But such solutions are merely short term; what the Filipinos want, Christian and Muslim alike, is lasting

peace. Some people might find that impossible, given the volatility of the political situation in Mindanao and in the Middle East.

Former U.S. House Majority Leader Thomas “Tip” O’Neill, a Massachusetts Democrat, once said that all politics is local. Perhaps there is hope that Philippine government negotiators and MILF representatives will set global and regional interests aside and focus on the “local” issues. We are one nation and we have a common heritage. Preservation of a free and sovereign Philippines should be the goal of every Filipino, regardless of religion or ethnicity.

History of Muslim Uprising

The history of the Moro (Muslim) rebellion stretches back nearly 500 years. Throughout the centuries, the Muslims of the Sulu archipelago and southwestern Mindanao have resisted foreign and domestic intruders, and no central government has ever succeeded in establishing complete control over the Moro areas.

It is unclear when Muslim migration actually began, although Filipino historians refer to Muslim settlers sailing from nearby Malaysia and Indonesia “in waves” and founding agrarian communities sometime between the late 14th and early 15th centuries. It is reported that Filipino natives were exporting sugar cane to the city of Melaka, also known as the Moluccas in Indonesia, even before the Portuguese occupied the city in 1511 as their trade base in South Asia.

Magellan, who sailed with an interpreter named Enrique, a supposed native of the Philippine island of Cebu, reached the islands in March 1521 and named them “Islas de San Lazaro.” Historians estimate that there were probably a million people when the Spaniards arrived. The people were living in extended families and scattered communities called “barangay.” There were local restricted political communities with chieftains called “datu,” and some representatives from the local nobility called the “maharlika.” Slavery was practiced, and the people were either farmers or fishermen.

The religion was Islam, which arrived around 1380 in the south of Mindanao and in Sulu, where the first sultanate was founded by an Arabian, Shariff Kabunsuan. He was the first in a long line of sultans who reigned until the arrival of the Americans in the early part of the 20th century. In 1542, during an expedition under Ruy Lopez de Villalobos, the islands were christened Filipinas after Felipe II, an eager advocate of the counter-Reformation in the Catholic Church and an avowed opponent of Islam. Hence, for the entire 300 years of rule under Spain, Felipe II waged continuous war against the Muslims in the southern islands.

Although now comprising a minority in the south, the Muslims still hold on to their legitimacy as the main “occupants” in Mindanao and these were recorded through the “tarsilas” or “silsilas,” which are primarily genealogical accounts and are considered the first indispensable documents to be consulted in tracing the roots of the Sulu and Maguindanao sultanates, which used to dominate political control over the southern islands of the Philippines. The sultans and all leading datus possessed tarsilas which were jealously guarded and formerly protected from prying eyes.²

According to Dr. Cesar Majul, with reference to Najeeb Saleeby whose work is on the history of Maguindanao and Sulu which were published in 1905 and 1908, respectively, the “Royal Tarsilas have at least two things in common. The first is a genealogical account where the Sultans who reigned are specified as such. The other is an assertion that the descent is from Prophet Mohammad through a Shariff who had come to the Philippines and established a dynasty. But some tarsilas go further than these: they attempt to establish relations between the local dynasties and empires which had earlier flourished in other parts of the Malaysian world.”³

Dr. Ahmad E. Alonto Jr., a Muslim scholar and former president of the Mindanao State University, also noted that one of the main factors that kept Muslim Mindanao distinct from the Philippine society and the Republic is the tarsilas.⁴

“This is imprinted in their minds up to this day. These tarsilas and silsilas are handed from generation to generation in the form of ballad songs or otherwise known to the Maranaos or Iranuns as “bayok”. These are written records hidden in boxes as sacred documents to be opened only upon the request of the Sultan, Bae or positions of Royalty as well as nobility, or to settle conflict and contradictions among the heirs of the ancestors holding such position.”⁵

The Tarsilas and Silsilas of Muslim Mindanao revealed the relationship --or rather link -- between Muslim Mindanao and the Malay World, particularly that of Malaka and Johor in the early part of the 16th century when there was a diaspora of the Royalities of Malaka after the Portuguese invasion in 1511.

Shariff Muhammad Kabungsuwan, the Muslim missionary from Johor, who brought Islam to the mainland of Mindanao, particularly in Maguindanao and Ranao, married the daughter of the head chief, Princess or Bae Angintobo and Princess Tonina of Maguindanao.⁶

From Kabungsuwan in the 16th century, a succession of Sultans descended until the arrival of the Americans in the early part of the 20th century. The succession of Sultanates in Maguindanao and Ranao are evident in the Tarsilas or Silsilas.⁷

When the American colonizers subjugated the Muslims in 1914, vast corporate investments in agriculture, logging, mining, and production of export products gained headway

in Mindanao. As a result, large populations from the Visayas and Luzon migrated to Moro land to work for American industries.

From the 1930s onward, large Christian settlements sprouted in Mindanao. At the same time, corporate investments continued to pour into the region. Industries took over vast tracts of land, which disenfranchised the Moros. By 1976, the proportion of Moro inhabitants to the total population dropped from 98 percent to 40 percent. Currently, Moros account for 20 percent of the population.

Corporations established in Mindanao before and after 1920 played key roles in the early conflict situation in the south. Taking advantage of the clannishness and family feuds among the Moro peoples and the politically marginalized and weaker communities, government and corporate interests further polarized the people and fostered conflict. This was much pronounced in 1968 and 1969, at the height of attacks against Moro communities by the Ilaga—meaning “rats”—with the support of logging companies seeking to grab Muslim lands in collusion with the Philippine military.

Resistance to the Philippine government first revolved around the Moro National Liberation Front (MNLF), which was founded by Nur Misuari, a professor at the University of the Philippines. The group demanded the formation of an independent Islamic state, consisting of the settled areas of Mindanao, Basilan, Sulu, Tawi-Tawi, and Palawan, and launched guerilla-style attacks against the Philippine government. It also participated in terrorist attacks and assassinations.

After President Ferdinand Marcos declared Martial Law in 1972, the MNLF continued its counteroffensives. The group gained international stature when it was recognized by the Organization of the Islamic Conference as the sole representative of Muslims in the Philippines. The Marcos government began negotiations with the MNLF following diplomatic initiatives with the OIC, eventually resulting in the first peace pact signed in Tripoli, Libya in December 1976.

The implementation of the Tripoli agreement was stalled due to disagreements over autonomy issues. Two plebiscites were held during the negotiation process, which were both rejected by the MNLF. It was not until the Ramos administration that a formula for autonomy was finally accepted by the MNLF.

The Emergence of MILF

The Moro Islamic Liberation Front was founded by former MNLF vice chairman Hashim Salamat, who advocated a radical view of the Muslim separatist movement.

Salamat was born to an influential and religious family in Maguindanao and, as an adult, worked as a librarian in his home town of Pagalungan. His parents sent him to Cairo in the 1960s for religious studies at the Al-Azhar University. He graduated in 1967 with a bachelor's degree in Islamic philosophy and obtained a masters degree two years later.

While in Cairo he was active in a Filipino student organization opposed to the Marcos regime in the Philippines. Before he was to receive his doctorate, Salamat returned to his country to help Nur Misuari form the main Muslim separatist group, the MNLF. Salamat became vice chairman of the fledgling group until 1977, when he and his faction broke away to form the MILF.

Salamat did not share Misuari's moderate, politically oriented campaign. He believed more in radical action to attain the goal of creating a purely Islamic state.

While the MNLF signed a peace treaty with the government in 1996, the MILF continued fighting. A cease fire agreement was signed in 1997, but fighting again broke out after the newly installed president in 1998, Joseph Estrada, was accused of violating the agreement.

Amid accusations of possible links with Al Qaeda, the Abu Sayyaf and Jemaah Islamiyah, the MILF eventually signed a cease-fire accord with the government headed by President Gloria Macapagal-Arroyo.

Macapagal-Arroyo's assumption of the presidency after Estrada was ousted in early 2001 paved the way for the resumption of the peace talks. The first meeting of the peace panels was held in Tripoli, Libya on June 19-22, 2001 which resulted in the Tripoli Agreement on Peace of 2001. The agreement identified three main issues that needed to be resolved first before talks can move forward: security, rehabilitation and ancestral domain.

In February 2003, the talks were put on hold after new fighting erupted. However, the death of Salamat in July that same year prompted the MILF, with its new leader Al Haj Murad Ebrahim, and the government to resume negotiations. The next meeting is scheduled early in 2006.

Forces Strength

As of June 30, 2005, the MILF was reported to have 9,900 members with 8,172 firearms. Most of its members come from Maguindanao and Sultan Kudarat with some support from the Maranaw ethnic group of Lanao. The MILF has well-developed political and military organs, people support, and foreign backing to sustain a protracted war.⁸ Ustadz Sharif Moshin Julabbi, an Islamic religious leader, Head Convener of the Bangsa Moro Mujahideen Alliance and member of the MILF central committee, claimed that the MILF has already reached the stage of

maturity in its campaign for Islamic liberalization such that it can never be defeated militarily and politically.⁹

Al Qaeda-MILF Connection¹⁰

The Al Qaeda-MILF collaboration dates back to the 1980's when hundreds of Filipinos Muslims were sent to Afghanistan either to undergo training or serve in the Russo-Afghan War. It is also reported that Al Qaeda made use of the MILF camps in the Philippines as their training bases from the 1990s.

The MILF has also been a recipient of funds and logistics support from Osama Bin Laden's brother-in-law Mohammad Jamal Khalifa, whom Philippine authorities believe was dispatched to Southeast Asia in the late 1980's to build a financial terrorist network.

Jl-MILF Connection¹¹

The presence of the Jl in the Philippines surfaced following the arrest of Al Ghazi, an Indonesian terrorist leader of the Jemaah Islamiyah, in 2002. It was revealed that Ghazi had established terrorist camps in Southern Philippines and was responsible for a series of bombings in the country in 2002 and 2003. One camp in particular helped train the Indonesian terrorists suspected of bombing a tourist resort in Bali, Indonesia. Other cells have been reported in Indonesia, Malaysia and Singapore.

Government Peace Initiatives

The Road to Lasting Peace

On September 2, 1996, a peace accord forged between the Government of the Republic of the Philippines and the MNLF stirred so much hope among Filipinos that a just and peacefully negotiated settlement to the Bangsamoro problem in Mindanao appeared finally at hand. But that was not the case because the MILF rejected the GRP-MNLF accord. The MILF, which has established a formidable force, represented a new threat to the peace and stability of the country.

Realizing this new predicament, President Fidel Ramos initiated similar talks with the MILF as part of the comprehensive Mindanao peace process. The MILF responded by participating in exploratory meetings that paved the way for formal negotiations.

The first meeting of the technical committees of the MILF and GRP panels was held on January 7, 1997 in Maguindanao. At the outset of the discussion, the MILF proposed a single talking point: "to solve the Bangsamoro problem", which involved a wide variety of social, cultural, economic, and political issues that included, but were not limited to, the following:

recognizing Moros' ancestral domain, their displacement and landlessness, reparations to war victims and for destruction of property, violations of their human rights, social and cultural discrimination against Muslims, policies that corrupt the mind and the moral fiber of the Moros, economic inequalities and widespread poverty among Muslims, exploitation by outsiders of the Moro homeland's natural resources, and the need for genuine agrarian reform.¹² They also claimed that finding a lasting political solution to the problem should form part of the agenda in the formal talks, with the end in view of establishing a system of life and governance suitable and acceptable to the Bangsamoro people.

The wording of this proposed MILF agenda is significant, according to Bacani, because for the first time, the MILF officially acknowledged its openness to a political form that is not necessarily an independent state, but one that could possibly address Bangsamoro grievances.¹³

The second meeting did not go as scheduled because armed confrontations between the two protagonists erupted. The worsening situation prompted the two parties to meet on July 17-18, 1997 in Cagayan de Oro City and at the end of the meeting the agreement for general cessation of hostilities was signed.

In early part of 2000, an all-out war ensued between the Estrada administration and the MILF which resulted in the suspension of the peace negotiation.

Macapagal-Arroyo's assumption of the presidency after Estrada was ousted in early 2001 paved the way for the resumption of the peace talks. The MILF demanded three conditions for them to go back to the negotiating table; first, the talks should be mediated by the OIC or by an OIC member, second, the parties comply with the term of past agreements and third, the talks be held in a foreign venue. Manila responded favorably to the three conditions. President Arroyo sought the assistance of Malaysian Prime Minister Mahathir Mohamad and President Abdulrahman Wahid of Indonesia to convince the MILF to resume the stalled peace talks. Finally, the agreement for the resumption of the talks was signed on March 24, 2001 at Kuala Lumpur.

The first meeting of the peace panels was held in Tripoli, Libya on June 19-22, 2001 which resulted in the signing of the Agreement on Peace between the Government of the Republic of the Philippines and the Moro Islamic Liberation Front, otherwise known as the Tripoli Agreement on Peace of 2001. Although this agreement was bilateral in nature, the negotiation was mediated and facilitated by Libya, Malaysia, and Indonesia.

In February 2003, the peace process was again put on hold because of the resumption of war in Mindanao. In July, MILF chairman Salamat died of natural causes, and Al Haj Murad

Ebrahim, vice chairman for military affairs, became the new leader. With this development, the peace talk was resumed.

During 2004 and 2005, government and MILF representatives agreed to appoint Malaysia as chief facilitator of exploratory talks and leader of an international team monitoring the ceasefire.¹⁴ Both parties met in September 2005 in Port Dickinson, Malaysia for two-day exploratory talks, which was hailed a success. The issue of ancestral domain relating to concept, territory, and resources, and related issues of governance in the Muslim-populated areas of Mindanao were high on the agenda but still remained the main stumbling block.

A statement issued jointly by the two sides after the Sept. 15-16 exploratory talks ended on high political note, after the Technical Working Group (TWG) agreed on language acknowledging the “birthright of the Bangsamoro people to identify themselves as ‘ Bangsa Moro.’” The group also proposed that the GRP acknowledge “the centrality and unity of the Bangsamoro homeland and ancestral territory, being logically implicated to their inherent sovereignty rights over their ancestral homeland, territory and ancestral domain.”

The TWG also noted the need for a “delimitation of the Bangsamoro homeland and ancestral territory for purposes of entrenching the Bangsamoro homeland. This encompasses the traditional dominions and proprietary rights of the Moro sultanates and principalities.

The TWG agreed to refer the matter of governance to the negotiating panels.

With this “breakthrough”, they agreed to work on the completion of the ancestral domain agenda before the end of 2005 so it can be added to the two previous agreements signed – Security (2001) and Rehabilitation and Development (2002) – completing the requirement of the Tripoli Agreement on Peace of 2001.

Convening in early February 2006 for preliminary talks in Kuala Lumpur, the negotiators agreed to sign the ancestral domain agreement by March 2006, simultaneously with the inception of the formal talks. After ending two days of informal talks on February 6, the Philippine and MILF panels announced that they were “successfully wrapping up the consensus points of the ancestral domain issue.”¹⁵

Both panels agreed to determine the scope of the Moro homeland based on technical maps and data submitted by both parties. They will settle on measures to address “the legitimate grievances” of the Moro people “arising from the unjust disposition and/or marginalization” and “their right to use and develop their ancestral domain and ancestral lands.”¹⁶

Analysis

In her State of the Nation Address (SONA) on July 25, 2005, President Macapagal-Arroyo reported that 80 percent of the peace talks with the MILF have been completed. The Security and Rehabilitative Aspects as stipulated in the 2001 Tripoli Peace Agreement and other agreements have already been discussed and are currently being implemented. What remains to be resolved is the ancestral domain, the most complex and contentious issue.

Another recent development is the deployment of additional U.S. troops in the Southern Philippines for a joint Balikatan (Shoulder to Shoulder) Exercise that started 17 January 2006. Col James Linder, Commander of Joint Special Operation Task Force- Philippines has announced that the contingent, composed mainly of engineers and medical personnel, were deployed to various Muslim areas to conduct humanitarian missions, such as construction and repair of schools, roads and deep wells, and medical assistance to the poor.

Under Secretary Ramon Santos of the Office of the Presidential Adviser on the Peace Process expressed hope in the peace talks. He said the requirements of the Tripoli agreement are almost fulfilled, but continued, sustained dialogue between the two parties even after the signing of a final peace agreement (FPA) is crucial.¹⁷ The emergence of new players in the peace process is also underscored in the 2005 Philippine Human Development Report.

"One of the bright spots of this process is the growing civil society-led movement for peace in Mindanao, sections of which have consciously adopted the human security framework," the report noted. "Hopefully, the emerging multiple international involvements--- Malaysia, Libya, OIC, the US, the UN and other international organizations, some with a human security framework---will facilitate, rather than complicate, the crucial GRP-MILF peace process."¹⁸

President Arroyo, in a statement issued in Manila after the February 5-6, 2006 informal meetings in Malaysia, said that both sides also agreed to a clear timetable for a final peace talk in September 2006. She also noted that the peace talks were progressing smoothly as a result of efforts by both sides to maintain a ceasefire over the past two years.

"This peace process will roll out a new era of stability, security and prosperity that will reverberate throughout Southeast Asia," she said. "I am determined to align this peace process with the overall quest of the Filipino people for economic strength and political renewal."

The talks triggered mixed reactions from the Muslim community.

"At face value, the agreement gives us an idea that the peace process has moved several notches higher," according to Abhoud Syed Lingga of the Institute of Bangsamoro Studies. "But what we need to see is the institutional mechanism to ensure that the benefits will go down the

Bangsamoro masses.” He warned that smaller militant factions like the Jemaah Islamiya and the Abu Sayyaf could become restive.¹⁹

Dr. Julkipli Wadi, professor of Islamic studies at the University of the Philippines, said the JI and Abu Sayyaf’s presence “remain a peripheral issue.” He said that the government could “neutralize” the MILF with offers of an economic windfall from ancestral land, but “this does not guarantee a reign of peace in Mindanao.” He warned of other more belligerent Muslim factions that may raise more demands.²⁰

During the series of negotiations, both the GRP and the MILF demonstrated political will and flexibility. The question therefore is no longer whether the parties can reach an agreement, but how to formulate workable and effective solutions that will bring about sustainable peace and development to Southern Philippines. A pact may be signed, yet it may not deliver the goods. It may not address the fundamental causes of the conflict.

Any peace agreement should provide for the demobilization and integration of the MILF. The government obviously has become wary of assuring rebel returnees of possible integration in the armed forces and the national police. Instead peace negotiators are capitalizing on the need to help uplift the Muslim communities by offering them rights to ancestral domains and the promise of a program for sustainable development in the MILF communities.

Also, relief operations, livelihood and social services programs that were previously offered exclusively to the MNLF should be broadened to address the issue of poverty in Mindanao. That would neutralize not only the MILF rebels, but also weaken the possibility of another Muslim extremist faction from spreading its influence.

Further, a political system must be in place to effectively implement any negotiated settlement. The problem hounding the government on the issue of governance is how to make institutional change in the present autonomous region in Muslim Mindanao. The political autonomy granted to the Muslims has been in effect, but the structural weakness of the existing bureaucracy has triggered unabated corruption, and to some extent political abuses among the present line of leaders.

The government definitely needs to review the existing autonomous region to ensure that political democracy and development reach the Muslim community, and not only benefit the new – and traditional – leaders. This will need Congressional approval, and necessitate another round of tedious negotiations. But a clear-cut program on governance in Mindanao can be a good start.

The MILF has been challenging government to call for a referendum on their right to self-determination. Perhaps, the government can use this issue to finally determine the extent of autonomy that can be granted to Muslim areas in Mindanao.

While Malacanang has dangled the possibility of granting federal statehood to Mindanao, it isn't an immediate solution since the issue of a shift to a parliamentary federal form of government is caught in a bind, with mounting opposition from various sectors.

The best indication of government sincerity is to ensure that Bangsamoro is a priority in development work. The Philippine Human Development Report 2005 noted that over the years that the GRP-MILF process has run, the security aspect has been complemented by "rehabilitation and development, in which projects are supposed to be determined and managed by the MILF through its NGO, the Bangsamoro Development Agency (BDA). This approach is supposed to create the right condition on the ground when contentious political issues are discussed."²¹

MILF Chairman Murad declared that the MILF will settle for a negotiated political solution only if it is just, lasting and comprehensive, and preserves the Bangsamoro people's right to self-determination.

The challenge now is for both parties to demonstrate creativity, resiliency and openness in crafting political solutions that address the root causes of the conflict. One aspect to consider is the proposition of Atty. Soliman Santos Jr. of dovetailing the proposed constitutional charter change with the peace process.²²

Another concern is how the government and the MILF can build strong and broad support for the peace process without making the tough compromises that their constituencies may find hard to accept or support. An even bigger hurdle is obtaining the support of the Philippine elite, which might view any settlement as a threat to their political and economic power bases. Even the support of the Christian majority needs to be harnessed.

The issue of the MNLF, not the MILF, as the recognized representative of the Muslims in the Organization of the Islamic Conference (OIC) also is a potential hindrance to the peace process. Unless an agreement has the broad support of all the Moro factions, it is bound to fail. The MILF is faced with the tall order, not only to solidify coalitions with other Moro leaders and civil society, but also to gain the support of the imams – Islamic religious leaders who wield strong influence over the country's Muslim population. The issues dividing the MNLF and the MILF must be resolved.

While the government addresses the issues with the MILF, it cannot sustain the peace initiatives if it allows the recurrent skirmishes or outbreaks of violence between the MILF and the

MNLF. The Coordinating Committee on the Cessation of Hostilities has proven to be quite effective in preventing conflicts or skirmishes from escalating into full-blown crises despite the MNLF's decision to resume its war with the government in violation of the 1996 peace agreement that gave them significant control over the autonomous region in Muslim Mindanao.

Veteran peace negotiators believe that once a formal agreement is signed, a cease-fire mechanism will be needed to sustain the momentum. As of now, Malacanang is driving the process, but a local-based coordinating committee should eventually take over.

While there are no quick solutions to the complex Mindanao situation, the peace talks will have to be fast-tracked or it stands to be derailed again. A multi-phased agreement should be considered to produce necessary changes in the immediate term.

Another major challenge is getting the funding to build the necessary political and economic infrastructures that will help maintain and sustain the peace process. The Philippines today is in a fiscal crisis brought about by an increasing budget deficit and soaring public debt. The deficit has been pared down somewhat as a result of reforms, including the expanded value-added tax (VAT) which was implemented on November 1, 2005. The higher 12 percent VAT rate, which kicked in February 1, is expected to somewhat ease the deficit.

"Fiscal deterioration" remains a big concern for international rating agencies despite the resurgence of the peso against the dollar. Reactions have been mixed so far as Moody's Investor Service on Feb. 9 announced a "negative" outlook on the Philippines, even as Standard and Poor's cautiously upgraded its opinion from "negative" to "stable." Overall, the capital markets continue to have misgivings about the fiscal and economic reform programs of the Arroyo administration.

Philippine debt, which remains at 75 percent of GDP, continues to be a major concern, according to S & P.²³ In the last five years, 23.6 percent of the budget has been allocated to debt payments and another 35.2 percent to debt servicing. These allocations ate away budgets for other critical services and infrastructure. Development agencies warned that significant debt payments to earnings imbalance cannot continue.

Because the government still resorts to more borrowings, international development assistance will play a critical role still in pursuing peace and development in Mindanao. In harnessing development assistance, targeting of beneficiaries should be more focused so that more people become aware of such help. Proposals for small projects must be evaluated carefully to avoid wasteful allocation of funds. Project beneficiaries should be encouraged to participate more in designing and implementing assistance-funded projects to foster a sense of

ownership and a willingness to maintain them. Women's participation in decision-making and design of the projects should be expanded. ²⁴

The government and the MILF must have clear-cut statements on the fiscal provisions of any negotiated settlements, particularly on the optimal use of down money. Such an agreement must require adequate safeguards to ensure the judicious use of funds.

There is also a need for stronger anti-terrorism laws as well as tools to enforce them. For example, poor communication between Philippine law enforcement agencies and the Anti-Money Laundering Council (AMLC) remains an impediment to effective implementation of national anti-money laundering laws.

The country's police force must be trained in the latest counter-terrorism measures and the criminal justice system must be modernized and strengthened to face and defeat the new terrorist threats. The government must show not only a strong resolve to fight those that threaten our democratic institutions and freedom but also the capability to win the war.

Ancestral Domain (The Main Stumbling Block)

In her 2005 State of the Nation address, President Macapagal-Arroyo said that 80 percent of the peace talks with the MILF have been completed. While provisions in the 2001 Tripoli Peace Agreement and other agreements are being implemented, however, the issue of "ancestral domain," remains unresolved, the president said.

"Ancestral domain is the single most important and the thorniest issue that is still to be negotiated by the MILF and the Philippine government before they can reach a political settlement," according to Astrid S. Tuminez, Senior Research Associate, Philippine Facilitation Project, US Institute of Peace. ²⁵

In her article "Ancestral Domain: The Key to a More Permanent Peace in Muslim Mindanao," Tuminez refers to ancestral domain as a Moro demand for territory that will constitute a Moro homeland, with sufficient control over its economic resources and a structure of governance that will allow Moros to govern themselves in ways that are consonant with their culture and with minimal interference from Manila. ²⁶ The areas of concerns in this issue are territory, governance and resources.

Other supporters of "ancestral domain," argue that Bangsamoro was already in the process of state formation and governance even before the arrival of Spanish colonizers even as it resisted foreign attempts to subjugate the land and the people. For this reason, Spain had never exercised "effective sovereignty, they said.

There are three main issues that warrant considerations on territory, according to Tuminez. First, land that historically belonged to the Moros was usurped by foreign colonizers and non-Islam migrants from Luzon and the Visayas. Since the completion of American occupation of the Philippines in 1914, the government has reduced the dominance of Moros in Mindanao through corporate takeover and non-Muslim resettlement programs. As a result, the Moros were reduced to being a minority, tenants at worst, in their own homeland.

Second, the first Peace Agreement signed in Tripoli in 1976 promised the Moros autonomy in 13 provinces and nine cities. But since that time, the machinations of the government have succeeded in preventing the Moros from exercising complete autonomy over these provinces and cities. The best the Moros have been able to obtain is autonomy over four poverty-stricken provinces and one city, dubbed as the Autonomous Region of Muslim Mindanao (ARMM). Moros feel that they have been cheated and that now may be their final opportunity to get any kind of an honest deal from the government.

Third, the MILF itself recognizes that the past cannot be restored. Hence, its leaders have scaled back demands for ancestral domain encompassing all of Mindanao, the Sulu archipelago, and Palawan. They now talk about territory covering only areas where Muslims are in the majority.

Tuminez asserts that ancestral domain talks will have to address Moro control over natural resources on their ancestral territory, including forests, arable land, gas, and others. No Moro system of self-government can survive and flourish unless it has a viable economic base; thus the control over resources is crucial. The problem with Moro autonomy up to this point—as embodied in the ARMM—is that it has never really had significant economic resources of its own and no fiscal independence.²⁷

Manila appears to be sincerely exploring ways to hand over economic power to the Moro leadership. But assets—especially land and the resources thereon—that may be redistributed as part of ancestral domain have not been yet defined. It is likely that entrenched personal and corporate interests from Christian land-owning families in Mindanao and Manila will oppose government concessions to Moros in the realm of economic resources. Overcoming these obstacles will be a delicate and difficult task.

Tuminez pointed out that the genuine devolution of political power will be needed. Manila needs to stop selecting the rulers of an autonomous Moro entity and must give the Moros space for true self-government. There will be obstacles to effective Moro self-government but these are not insurmountable. They include.²⁸

- Inter-ethnic Moro rivalry and divisions ;

- Insufficient administrative, technical, and managerial skills among rising and current Moro leaders
- Lack of clarity on how Islamic Law or Shariah will be made operational while also preserving an open and democratic system on Moro territory;
- And that all-pervasive problem in the Philippines, corruption.

Culturally, a self-governing Moro entity will have much to do in education, including the improvement and standardization of the Madrasah curricula and the more rigorous preparation of their own youth to live and work more competitively within the country and in the region.

The MILF and its supporters do not want a repeat of the MNLF's experience in governance. After the peace agreement was signed in 1996, MNLF chairman Nur Misuari and his cohorts proved quickly how their system of governance was corrupt, inefficient, and dependent on favors from Manila. Hence, nine years after that "Final Peace Agreement," the deep-rooted grievances, needs, and yearnings of the Moros remain unresolved.

Recommendations

It is everybody's hope that the GRP-MILF talks will produce an agreement to bring about eventually sustainable peace and development in Southern Philippines.

A. Bacani's guidelines to that effect are simple and direct:

- Ensure the acceptance and support of the general Filipino populace by having both sides build a national consensus on what have been agreed upon.
- View the peace process as a bridge to all faiths and convictions
- Provide strong and effective mechanisms for implementation to include a viable structures, effective support systems as well as available logistics

B. On issues related to territorial aspect

- Review the Indigenous People Rights Act (IPRA) or the Republic Act 8371.
- Stop government and non-Muslim intrusions in areas being claimed by Muslims as their ancestral domain.
- Seek experts' advice on traditional agreements vis-à-vis domain, territorial boundaries, inter-tribal peace among Moros and the non-Islamized indigenous people (IP) of Mindanao
- Look into the presence of MILF camps in IP territories

C. On relief and rehabilitation aspect

- Return Filipino refugees to their original homes and means of livelihood
- Rehabilitation efforts must include psychological assistance and socio-economic relief

- Give priority to indigenous communities, particularly in terms of livelihood programs
- Initiate family reunification programs in war-torn areas.

D. On Governance

It is recommended that the Islamic autonomous region be adopted which allows only enhanced autonomy to the MILF. It is believed that an Islamic state under a federal set-up might set the tone for future clamor for a separate and independent state.

E. On policy

- A concerted effort to bring together a genuine partnership for peace and development between the MILF and MNLF
- The GRP and MILF to ensure that the dividends of peace redound to the people they represent and not benefit only those who hold the reins of power
- Involvement of grassroots participation in the peace process through consultations and public meetings.

F. On U.S. Support²⁹

- Support the ceasefire. Although the U.S. has made it clear that terrorism is its primary interest, it is shortsighted. The ceasefire has been the single greatest success of the peace process but remains fragile. Monitoring mechanisms on the ground need to be bolstered with training, funds, and other support. As long as the ceasefire holds, the parties can keep negotiating thorny issues, and it is better for them to keep talking. Helping to support the ceasefire would be a relatively inexpensive endeavor but it could go a very long way in generating good will and enhancing credibility on peace in Mindanao. We need good intelligence to be effective and people will talk only when we earned their trust.
- Make available to the parties the best practices and lessons from other countries that have resolved issues similar to ancestral domain with their own minorities. The GRP and MILF, have both expressed interests in the experiences of Northern Ireland, New Zealand, with the Maoris, Sudan, and other countries,
- Make a generous offer of post-agreement development assistance, more than the \$30million offered previously. It would not hurt to work with the Bangsamoro Development Agency (BDA). It is a group run by competent individuals and they are focused on weeding out corruption early in the process of development training.

Conclusion

There are many paths leading to a GRP-MILF peace pact says Bacani. The challenge is to keep all paths open and be aware of where diverse interests intersect. While we all long for the GRP and the MILF to reach an agreement the soonest time possible, we must not allow haste to waste our efforts in finding appropriate, long lasting solutions to the political and economic issues confronting the two sides. The parties and the mediators owe it to the many people who have died or survived this armed conflict to work toward true peace and ensure the durability of any negotiated agreement. They should take a hard look at the peace process, and learn from its failures and build up on its gains. They must strive to forge an agreement that can promote and sustain development in Mindanao, particularly in the areas of unrest.³⁰

The promised aid from the international community and the resources of the nation are finite. Any agreement must ensure that resources are wisely allocated and judiciously spent. Finally, more than the need to silence the guns and to forge an agreement is the greater need for true leaders for peace and development. We need a brand of Muslim and Christian leadership that inspires and unites the people of the Philippines in lasting peace and prosperity.

Endnotes

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⁵ Ibid. Dr. Ahmad E. Alonto Jr., Muslim Mindanao: The Link of the Philippines to the Malay World (paper delivered during the Hari Sastera XII, Ipoh Perak, 2-4 Sept. 2005).

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